# Agenda May 3, 2008 – May 16, 2008

Board of License Commissioners Monday, May 5, 2008 Banneker Room **6:00 p.m**.

## Public Hearing

REQUEST TO REHEAR THE APPLICATION FOR A NEW CLASS A BEER AND LIGHT WINE 7 DAY OFF SALE LICENSE

FOR: El Roi, LLC,t/a Hungtington Deli and Market for 2000 square feet located at 7635 Murray Hill Road, Columbia, MD 21046 in the names of Kee Dong Kim, Hong B. Kim and Myoung B. Kim

**7:00 p.m.**County Council
Banneker Room

Budget Public Hearing - Constant Yield Tax Rate

7:30 p.m.

<u>Legislative Session</u> Day #5

Approve Journal - April 7, 2008

## Approve Minutes

Capital Budget Work Session – April 22, 2008 Capital Budget Hearing – April 22, 2008 Legislative Public Hearing – April 22, 2008 Capital Budget Work Session – April 25, 2008 Legislative Work Session – April 28, 2008 Capital & Operating Budgets Public Hearing – April 29, 2008 Operating Budget Public Hearing – April 30, 2008

### <u>Introduction of Legislation</u>

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

5/3/08 - 5/16/08 page 2 of 11

## **Appointments**

- Council Resolution No. 36-2008 Confirming the appointment of Lori L. Sherwood as Cable Administrator
- Council Resolution No. 37-2008 Confirming the appointment of Diana Carson Seybolt to the Board of Directors of the Howard County Mental Health Authority

### Financial

- Council Resolution No. 38-2008 Approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2008; transferring \$150,000 from the Administration category; \$350,000 from the Mid-Level Administration category; \$140,000 from the Operation of Plant category; and \$300,000 from the Maintenance of Plant category for a total transfer of \$940,000 to the Special Education category
- Council Resolution No. 35-2008 Adopted pursuant to the Maryland Economic Development Revenue Bond Act providing for the issuance by Howard County, Maryland, of up to \$11,000,000 of its limited obligation bonds and the loan of the proceeds thereof to Glenelg Country School, Inc. to be used to (1) refund the Howard County, Maryland Economic Development Revenue Bonds (Glenelg Country School Facility) Series 2003 A, B and C, (2) refinance a loan from Mercantile-Safe Deposit and Trust Company Bank to Glenelg Country School, Inc. made on May 31, 2005, and (3) finance costs of issuance and other related costs

## General

- Council Bill No. 33-2008 Adding a position to the list of executive exempt positions in the Howard County Code that are appointed by the County Executive; amending the title of Chief Deputy as appointed by Chief of Fire and Rescue Services; providing for the application of this Act
- Council Bill No. 34-2008 Amending the Classification Plan for Howard County by adding certain introductory language; adding and amending certain class descriptions; amending certain minimum experience requirements to be consistent with the Howard County Code; amending certain class titles; making certain technical corrections; providing for the application of this Act
- Council Bill No. 35-2008 Pursuant to Section 1.111(e) of the Howard County Code approving provisions in an amendment to the Memorandum of Agreement between Howard County and the International Union of Police Associations Howard County Local 107 which are in conflict with the provisions of Title 1 "Human Resources" of the County Code or the Employee Manual and providing for the application of this Act
- Council Bill No. 36-2008 Amending the eligibility criteria to qualify for the refuse collection charge assistance program; and generally related to the refuse collection charge assistance program in Howard County

5/3/08 – 5/16/08 page 3 of 11

Council Bill No. 37-2008 – Amending the benefits for payments made under the Length of Service Awards Program for volunteer firefighters and emergency medical services personnel; and generally related to fire and rescue services in Howard County

- Council Bill No. 38-2008 Amending the Howard County Fire Prevention Code to authorize the adoption of certain fees; and generally related to fire and rescue services in Howard County
- Council Bill No. 39-2008 Amending the Adequate Public Facilities Ordinance to expand the eligibility for Route 1 revitalization allocations; to amend the number of units that may be granted to a given project; to provide for the advancement of certain Route 1 revitalization allocations under certain conditions; and generally related to Howard County's Adequate Public Facilities Ordinance
- Council Bill No. 40-2008 Ratifying and approving, in accordance with Section 612 of the Howard County Charter, a multi-year lease for a portion of a building located at 88 State Circle, Annapolis, Maryland by and between the Mayor and City Council of Baltimore, Howard County, Maryland, and Harford County, Maryland
- Council Bill No. 41-2008 Approving, in accordance with Section 612 of the Howard County Charter, a multi-year lease for a portion of a building located at the Harper's Choice Village Center, Columbia, Howard County, Maryland by and between Village Center Business Trust and Howard County, Maryland, to be utilized by the Howard County Police Department
- Council Bill No. 42-2008 Approving, in accordance with Section 612 of the Howard County Charter, a multi-year license agreement extension by and between the Columbia Association and Howard County, Maryland for space in the parking lot at the Oakland Mills Village Center, Columbia, Howard County, Maryland to be used by the Police Department
- Council Resolution No. 39-2008 Pursuant to Section 4.201 of the Howard County Code declaring that certain real property comprising approximately 26.233 acres owned by Howard County, Maryland and located along Martha Bush Drive in Ellicott City, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration
- Council Resolution No. 40-2008 Pursuant to Section 4.201 of the Howard County Code declaring that certain real property comprising approximately 24.5 acres owned by Howard County, Maryland and located along Rogers Avenue in Ellicott City, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration

5/3/08 – 5/16/08 page 4 of 11

#### Budget

- Council Bill No. 28-2008 To authorize and empower Howard County, Maryland, to borrow up to \$120,833,603 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, road construction projects, roadside and sidewalk projects, a library project, community college projects, parks and recreation projects, intersection improvements projects and a community renewal project), which are specified and described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain capital projects previously authorized in calendar year 2004, and to pay costs of issuance of such bonds
- Council Bill No. 29-2008 To authorize and empower Howard County, Maryland, to borrow up to \$13,950,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County education capital projects, as more particularly described in the County's 2009 Capital Budget (including, without limitation, borrowings for one of such capital projects previously authorized in 2004, and to pay costs of issuance of such bonds
- Council Bill No. 30-2008 To authorize and empower Howard County, Maryland, to borrow up to \$19,101,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County bridge, road construction and intersection improvements capital projects specified and described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized in 2004) and to pay costs of issuance of such bonds
- Council Bill No. 31-2008 To authorize and empower Howard County, Maryland, to borrow up to \$144,569,618 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County water and sewer capital projects, as described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain water and sewer projects previously authorized in 2004), and to pay costs of issuance of such bonds
- Council Bill No. 32-2008 AN ACT to authorize and empower Howard County, Maryland to borrow, on its full faith and credit, up to \$63,000,000 from the Maryland Water Quality Financing Administration (the "Administration"), and to issue and sell its installment bonds to the Administration, the proceeds thereof to be used to pay costs of Capital Project No. S-6214 (Sewer Contingency Fund), as described in the County's 2009 Capital Budget, and to pay all related costs
- Council Bill No. 43-2008 Adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2008 and ending June 30, 2009, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal 2009
- Council Bill No. 44-2008 Amending the Pay Plan for Howard County; establishing pay rates for certain employees; adding and amending certain classification titles and pay grades; removing certain provisions related to certain awards; adding or amending certain specialty pays and longevity steps; making certain technical corrections; providing for the application of this Act; and generally relating to the Pay Plan for Howard County

5/3/08 - 5/16/08 page 5 of 11

Council Resolution No. 41-2008 – Approving the Capital Program for Howard County for Fiscal Years 2010 through 2014 and the Extended Capital Program for Fiscal Years 2015 through 2018

- Council Resolution No. 42-2008 Approving the Fiscal Year 2009 operating budget for the Howard Community College and indicating appropriations for major functional categories
- Council Resolution No. 43-2008 Approving the County's portion of the Fiscal Year 2009 budget for the Department of Libraries and indicating appropriations for object classes
- Council Resolution No. 44-2008 Setting forth the Fiscal Year 2009 Operating Budget for the Howard County Board of Education
- Council Resolution No. 45-2008 Approving schedules for charges pertaining to the Metropolitan District and to water and sewer service
- Council Resolution No. 46-2008 Approving schedules of fees for the functions regulated by the Department of Public Works
- Council Resolution No. 47-2008 Approving a schedule of fees for the collection of refuse in Howard County
- Council Resolution No. 48-2008 Approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits
- Council Resolution No. 49-2008 Approving schedules of fees and charges for functions regulated or administered by the Department of Planning and Zoning
- Council Resolution No. 50-2008 Adopting fees for Fire Prevention Services
- Council Resolution No. 51-2008 Adopting a schedule of fees for functions regulated by the Department of Finance, including a schedule of fees for parking meter rates
- Council Resolution No. 52-2008 Approving schedules of fees and rates for functions regulated and administered by the Department of Police
- Council Resolution No. 53-2008 Approving schedules of fees for functions regulated by the Health Department
- Council Resolution No. 54-2008 Approving fee and rate schedules for:
  - (1) Applying for approval of an industrial development revenue bond or MIDFA bond or loan;
  - (2) Solicitor and Peddler Identification Card;
  - (3) Weekend Prisoners Room and board;
  - (4) Prisoner Health care provider fee;
  - (5) Participation in work release program;
  - (6) Participation in home detention program;
  - (7) Marriage license fee charge for funding of domestic violence programs;

5/3/08 - 5/16/08 page 6 of 11

(8) Annual registration of trespass towing companies and maximum rates to be charged by trespass towing services;

- (9) Fee and specifications for transcripts of administrative proceedings; and
- (10) Reproduction of public records
- Council Resolution No. 55-2008 Approving schedules of fines and penalties for violations of and administrative costs related to enforcement of Howard County's parking laws, including administrative handling fees for parking citations and citations under the automated red light enforcement program
- Council Resolution No. 56-2008 Levying a tax on certain admissions and amusements, establishing classes of admissions and amusements, setting tax rates on different classes, and providing for certain exemptions from the tax
- Council Resolution No. 57-2008 Imposing a recordation tax on instruments of writing that convey title to or create or give notice of a security interest in real property, or that create or give notice of a security interest in personal property, and that are recorded with the Clerk of the Circuit Court
- Council Resolution No. 58-2008 Adopting the schedule of rates for the Building Excise Tax
- Council Resolution No. 59-2008 Levying Fire and Rescue tax rates beginning July 1, 2008
- Council Resolution No. 60-2008 Levying a property tax for the fiscal year beginning July 1, 2008 and ending June 30, 2009; setting the tax rates for property; and providing for the collection of the property tax

#### Final Consideration

#### Consent

- Council Resolution No. 27-2008 Confirming the appointment of Herman Charity to the Recreation & Parks Board
- Council Resolution No. 28-2008 Confirming the appointment of Howard Feaga to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board
- Council Resolution No. 29-2008 Confirming the reappointment of Sean M. Hough to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board
- Council Resolution No. 33-2008 Introduced by the Chairperson Calling the County Council of Howard County, Maryland into legislative session on May 22, 2008

### **Financial**

Council Bill No. 17-2008 – Supplementing Council Bill No. 34-2006, as supplemented, which provided for the issuance of the County's Consolidated Public Improvement Bonds and/or Metropolitan District Bonds to provide funds to pay the County's Consolidated Public

5/3/08 - 5/16/08 page 7 of 11

Improvement Commercial Paper Bond Anticipation Notes, Series D (the "Notes"), in order to provide for the issuance of an additional \$107,500,000 of such Bonds in order to provide funds to pay \$107,500,000 of additional Notes, and for related purposes; and providing for and determining various matters in connection therewith

- Council Bill No. 18-2008 Supplementing Council Bill No. 35-2006, as supplemented, which provided for the issuance and reissuance of the County's Consolidated Public Improvement Commercial Paper Bond Anticipation Notes, Series D (the "Notes"), in order to provide for the issuance of an additional \$107,500,000 of the Notes, for the disbursement of the proceeds of such additional Notes, and for related purposes; and providing for and determining various matters in connection therewith
- Council Bill No. 19-2008 Providing for the issuance and sale of the Howard County, Maryland Water Quality Bond, Series 2008A, in the maximum principal amount of \$1,415,000; providing for and approving a Loan Agreement with the Maryland Water Quality Financing Administration (the "Administration"); prescribing the forms of such Bond and Loan Agreement; providing certain details relating thereto or the method of determining such details; providing that such Bond shall be issued on the County's full faith and credit; providing for disbursement of the proceeds of such Bond and for the levying of taxes for payment of the principal of and interest on such Bond; providing for the private (negotiated) sale of such Bond to the Administration; and providing for and determining various matters in connection therewith
- Supplementary Budget & Appropriation Ordinance No. 10-Fiscal 2008 AN ACT transferring \$657,000 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses for snow removal

#### General

- Council Bill No. 20-2008 Pursuant to Section 612 of the Howard County Charter, approving a Contract between Howard County, Maryland and Constellation New Energy Gas Division, LLC, for natural gas supply services during a multi-year renewal term
- Council Bill No. 21-2008 Amending the Howard County Retirement Plan to make certain technical corrections as required by Sections 401(a)(9) and 415 of the Internal Revenue Code; to clarify certain terminology; to allow for certain distributions to certain nonspouse beneficiaries as permitted by a recent amendment to the Internal Revenue Code; to allow rollover distributions to certain eligible retirement plans as required by recent amendments to the Internal Revenue Code; and generally relating to the Howard County Retirement Plan
- Council Bill No. 22-2008 Amending the Howard County Police and Fire Employee's Retirement Plan to make certain technical corrections as required by Sections 401(a)(9) and 415 of the Internal Revenue Code; to clarify certain terminology; to allow for certain distributions to certain non-spouse beneficiaries as permitted by a recent amendment to the Internal Revenue Code; to allow additional opportunities for participation by police officers in the Deferred Retirement Option Program; to allow certain rollover distributions to Roth IRAs as required by a recent amendment to the Internal Revenue Code; and generally relating to the Howard County Police and Fire Employees Retirement Plan

5/3/08 - 5/16/08 page 8 of 11

Council Bill No. 23-2008 – Establishing a Board to Promote Self-Sufficiency; providing for the membership, terms, officers, and staffing of the Board; setting forth the requirements for meetings and voting; authorizing the use of subcommittees and the adoption of certain Operating Procedures; providing for the purpose and responsibilities of the Board; providing the expiration dates of the terms of the initial members of the Board; providing for certain exceptions applicable to the Board; and generally relating to the Board to Promote Self-Sufficiency

- Council Bill No. 24-2008 Establishing a Design Advisory Panel; requiring review by the Panel at the certain times in the development process and for the development of certain types of parcels; providing for the membership, chair, and staffing of the Panel; providing the guidelines and principals for the Panel to apply; providing for the duties and responsibilities of the Panel; requiring certain recommendations be made to the Director of the Department of Planning and Zoning; providing that the Director of Planning and Zoning and Hearing Authority can consider recommendations as a condition of plan and conditional use approval; authorizing the adoption of certain Rules of Procedure; authorizing certain fees; providing for certain exceptions applicable to the Panel; providing for certain appeals; requiring certain disclosures; providing for the expiration dates of the terms of the initial members of the Panel; providing for the application of this Act; and generally relating to the Design Advisory Panel
- Council Bill No. 25-2008 (ZRA-91) Amending the Howard County Zoning Regulations to establish a requirement for review by the Design Advisory Panel of age-restricted adult housing projects that are required to receive conditional use approval; and generally related to age-restricted adult housing projects
- Council Bill No. 26-2008 Introduced by Courtney Watson/Co. Spon. by Calvin Ball, Greg Fox, Mary Kay Sigaty & Jennifer Terrasa Amending the Howard County Code to specify when petitions to amend the text of the zoning regulations may be filed with the County Council; and generally relating to zoning regulation text amendments
- Council Bill No. 27-2008 (ZRA-88) Introduced by: The Chair at the request of Taylor Family Limited Partnership A & B Amending the Howard County Zoning Regulations to permit retail and personal service uses for age-restricted adult housing in the POR zoning district by right in certain circumstances; permit retail and personal service uses permitted in the B-1 zoning district by right in certain circumstances in the PEC zoning district; and generally relating to retail and personal service uses.
- Council Resolution No. 30-2008 Adopting Howard County's Annual Action Plan for housing and community services to qualify for the receipt of federal Community Development Block Grant and Home Investment Partnership Program funds.
- Council Resolution No. 31-2008 Pursuant to the Howard County Cable Televisions Systems Franchise Act, granting an application received from Ellicott City Cable Company, LLC for a secondary cable television franchise in Taylor Village.
- Council Resolution No. 32-2008 Pursuant to the Howard County Cable Televisions Systems Franchise Act, granting an application received from Ellicott City Cable Company, LLC for a secondary cable television franchise in Waverly Woods.

5/3/08 – 5/16/08 page 9 of 11

Council Resolution No. 34-2008 – Introduced by Calvin Ball, Mary Kay Sigaty, and Jennifer Terrasa/Co-spon. by: Greg Fox and Courtney Watson - Creating a youth task force to advise the County Council; providing for the membership, officers, duties, and powers of the task force; requiring the task force to hold certain meetings and issue certain reports; and generally relating to a youth task force

\* \* \* \* \* \* \* \* \*
County Council
Tuesday, May 6, 2008
Ellicott Room
9:00 a.m.

Work Session – Operating Budget

Legislative & Judicial Public Safety (Police, Fire) Public Facilities

> County Council Friday, May 9, 2008 Ellicott Room 9:00 a.m.

\* \* \* \* \* \* \* \* \*

Work Session – Capital & Operating Budgets
Board of Education

1:00 p.m.

Work Session – Capital & Operating Budgets
Community College

4:00 p.m.

Work Session – Capital & Operating Budgets
Library

County Council
Monday, May 12, 2008
Monthly Meeting
Dr. C. Vernon Gray Conference Room
12:30 p.m.

\* \* \* \* \* \* \* \* \*

5/3/08 – 5/16/08 page 10 of 11

\* \* \* \* \* \* \* \* \*

County Council
Tuesday, May 13, 2008
Ellicott Room
9:00 a.m.

Work Session – Operating Budget General Government

11:00 a.m. Banneker Room

Budget Public Hearing – General

1:00 p.m. Ellicott Room

Budget Work Session
Community Services, Funds/Revenues

County Council Wednesday, May 14, 2008 Ellicott Room 3:00 p.m.

\* \* \* \* \* \* \* \* \*

<u>Budget Work Session</u> (if needed) Pending issues

> County Council Friday, May 16, 2008 Ellicott Room 9:00 a.m.

\*\*\*\*\*

Budget Work Session (if needed)
Education

1:00 p.m Board of License Commissioners Banneker Room

**Public Hearing** 

**NEW** 

5/3/08 - 5/16/08 page 11 of 11

CLASS B (restaurant)
BEER, WINE AND LIQUOR
7 DAY
ON SALE LICENSE

FOR: Stationhouse Columbia, Inc., t/a The Greene Turtle for a 7200 square foot restaurant with a 600 square foot outside patio located at 8870 McGaw Road, Columbia, MD 21045 in the names of Michael C. Krafft, Michael D. Stoehr and Alan C. Krafft

Visit the Council's website (<a href="www.howardcountymd.gov/CountyCouncil/CC\_HomePage.htm">www.howardcountymd.gov/CountyCouncil/CC\_HomePage.htm</a>) to view legislation, send written testimony, and sign-up electronically to testify at public hearings.

Persons needing accommodations to fully participate in the meeting, please contact the Council Office, 410-313-2001, at least eight working days in advance.

 $T:\Shared\LEGIS\Legis 2008\Agendas 08\ag 050508.doc$